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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/788,559

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EXAMINER

EL CHANTI, HUSSEIN A

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/788,559	Applicant(s) ALLIBHOY ET AL.	
	Examiner HUSSEIN A. EL CHANTI	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/21/2008</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to RCE received on March 19, 2008. Claims 1-33 are pending examination.

Drawings

2. The drawings were received on Sep. 19, 2007. These drawings are acceptable.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Wolfe et al, U.S. Patent No. 6,282,517 (referred to hereafter as Wolfe).

Wolfe teaches the invention as claimed including a method and apparatus for formulating and submitting a purchase request over a computer network (see abstract).

As to claim 1, Wolfe teaches a method of monitoring a transaction between a receiver and a content provider occurring over a network operated by a network operator, wherein said content provider offers enhanced content programming relating to the transaction, the method comprising the steps of:

accepting a user request for the enhanced content programming by the receiver, said user request containing request information (see col. 18 lines 10-13);

stripping at least a portion of the request information from said user request (see col. 2 lines 30-44);

inserting third party parameters into said user request to form a modified user request (see col. 3 lines 1-5 and col. 17 lines 6-15, purchase request identification number is added to the request);

directing said modified user request to the content provider (see col. 18 lines 20-25);

intercepting a user request response directed to the receiver by the content provider, wherein said user request response comprises at least a portion of the transaction (see col. 18 lines 20-29); and

permitting the transaction to proceed if the content provider abides by said third party parameters (*see fig. 8 and its corresponding illustration).

As to claim 2, Wolfe teaches the method of claim 1, wherein said third party parameters are comprised of a set of business rules (see fig. 7 and its corresponding illustration).

As to claim 3, Wolfe teaches the method of claim 1 further comprising the step of appending third party markers to said user request response, said appending step performed by the content provider (see fig. 7 and its corresponding illustration).

As to claim 4, Wolfe teaches the method of claim 1 further comprising:

If the content provider is determined to be an authorized content provider, replacing said stripping, inserting, and directing steps with the step of directing said user request to said authorized content provider (see col. 6 lines 28-42).

As to claim 5, Wolfe teaches the method of claim 1 further comprising the step of providing a set of additional third party parameters to the content provider in response to a request from the content provider for said set of additional third party parameters (see col. 3 lines 1-5).

As to claim 6, Wolfe teaches the method of claim 1 further comprising the step of directing said modified user request to a substitute content provider if the content provider does not abide by said third party parameters (see abstract lines 13-18).

As to claim 7, Wolfe teaches the method of claim 1 further comprising the steps of:

extracting transaction information from said intercepted user request response; and

storing said extracted transaction information (see fig. 1 and its corresponding illustration).

As to claim 8, Wolfe teaches the method of claim 7 further comprising the step of displaying at least a portion of said extracted transaction information (see fig. 17 and its corresponding illustration).

As to claim 9, Wolfe teaches the method of claim 8 further comprising the step of displaying at least one advertisement simultaneously with said portion of said extracted transaction information (see fig. 15, the figure displays a picture of a car to be displayed).

As to claim 10, Wolfe teaches the method of claim 9 wherein said at least one advertisement includes linking information to a specific content provider (see fig. 15 and its corresponding illustration).

As to claim 11, Wolfe teaches the method of claim 1 wherein the transaction is a financial transaction and said user request is a user purchase request, said method further comprising the step of entering said user purchase request into a data base controlled by a third party (see col. 17 lines 37-53).

As to claim 12, Wolfe teaches the method of claim 11 further comprising the step of displaying at least a portion of said entered user purchase request (see fig. 17 and its corresponding illustration).

As to claim 13, Wolfe teaches the method of claim 11 further comprising the steps of:

directing a request for additional information from said content provider (see fig. 16, buyer is requested to chose to browse additional cars or confirm purchase);
and

storing said additional information in said third party controlled data base (see col. 7 lines 1-10).

As to claim 14, Wolfe teaches the method of claim 13 further comprising the steps of:

directing a request for updated information pertaining to said user purchase request to the content provider, wherein said directing step is performed by said third party;

receiving said updated information from said content provider; and
storing said updated information in said third party controlled data base
(see claim 14).

As to claim 15, Wolfe teaches the method of claim 11 further comprising the steps of:

requesting finalization of said user purchase request by the receiver, finalizing said initiated purchase with the user receiver wherein said finalizing step is performed by said third party and providing finalized purchase information to the content provider by said third party (see col. 16 lines 65-col. 17 lines 17).

As to claim 26, Wolfe teaches a network-based system for supporting a user transaction, the system comprising:

a network (see abstract lines 1-2);

a content provider coupled to said network, wherein said content provider supplies enhanced content programming relating to the user transaction (see abstract);

a receiver coupled to said network, said receiver capable of receiving said enhanced content programming and submitting user requests to said content provider via said network (see abstract lines 2-5);

software within said receiver allowing a third party to control interactions between said receiver and said content provider (see fig. 17);

a third party controller coupled to said network for extracting information relating to the user transaction from submitted user requests and from at least one request response from said content provider (see fig. 16); and

a third party data base for storing said extracted information (see fig. 1);
and

a display coupled to said receiver for displaying said enhanced content programming and for displaying information stored within said third party data base (see fig. 17).

As to claim 30, Wolfe teaches the network-based system of claim 26 wherein said receiver is a computer (see fig. 1).

As to claim 31, Wolfe teaches the network-based system of claim 26 wherein said network is a broadcasting system (see abstract).

Claims 17-25, 27-29, 32 and 33 do not teach or define any new limitations above claims 1-15 and therefore are rejected for similar reasons.

4. This is a RCE of applicant's earlier Application 10/788,559. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUSSEIN A. EL CHANTI whose telephone number is (571)272-3999. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hussein El-chanti
June 12, 2008

**/Ario Etienne/
Supervisory Patent Examiner, Art Unit 2157**